SINGLE BENCH

C.F. 1001

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 1236 OF 2006

PETITIONER :

Yuvraj Singh S/.O Shri Shouki Lal, aged about 35 years , resident of Village Dumarpali, Tahsil and District Raigarh(CG).

VERSUS

RESPONDENTS :

(1) State of Chhattisgarh, through Sub Divisional Officer, Raigarh, Tehsil and District Raigarh (CG).

(2) Ganpat Ram Sahu S/o Hazaru Sahu, resident of Village Dumarpali, Tehsil and District Raigarh (CG).

(3) Chhote Das S/o Hari Das , resident of Village Dumarpali, Tehsil and District Raigarh (CG).

(4) Kayat Ram S/o Gulab, resident of Village Banhar, Tehsil and District Raigarh (CG).

(5) Ramesh S/o Not known, resident of Village Banhar, Tehsil and District Raigarh (CG).

(6) Rajendra S/o Gulab, resident of Village Banhar, Tehsil and District Raigarh (CG).

(7) Presiding Officer, Polling Booth Dumarpali ,Tehsil and District Raigarh (CG).

P.R. No. 1304/06
Presented by Shri Amrutkshuriwani
dated 8/3/06

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WRIT PETITION U/A 226/227 OF THE CONSITITUTION OF INDIA

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 1236 **सन् 2006**

(35)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	09.03.2006 Shri Awadh Tripathi, counsel for the petitioner. Shri Utkarsh Verma, Dy. Govt. Advocate for the State on advance copy. Heard on admission. The submission of learned counsel for the petitioner is that in an election petition filed under Section 122 of C.G. Panchyat Raj Adhiniyam, 1993, the petitioner raised an objection regarding non-joinder of necessary party and the specified officer illegally dismissed the aforesaid objection holding that the persons denoted by the petitioner were not necessary parties as they were the persons who have withdrawn their nomination in accordance with rules. His further submission is that the learned specified officer, thereafter, at the preliminarily stage, without following the procedure laid down under the Rule has fixed the case for final hearing. So far as the objection in relation to necessary party is concerned, I do not find any force in the arguments advanced by learned counsel for the petitioner. In the facts and circumstances of this case, a right view has been taken by the Tribunal. The petition cannot be entertained on this ground. This petition is summarily dismissed. However, it is observed that the specified officer shall dispose of the election petition in accordance with the Rule prescribed for the same. Sd/- Sunil Kumar Sinha Judge	

Vatti